

**HOUSE BILL NO. 329**

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-SECOND LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE GILLHAM

Introduced: 2/16/22

Referred: Education, Finance

**A BILL****FOR AN ACT ENTITLED**

1   **"An Act establishing a scholarship program for certain students."**

2   **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3    \* **Section 1.** AS 44.27 is amended by adding new sections to read:

4                               **Article 3. Scholarship Program.**

5               **Sec. 44.27.100. Education scholarship program; regulations.** (a) The  
6       department shall administer an education scholarship program for the purpose of  
7       providing public funding for the education of a child who is being educated in the  
8       child's home under AS 14.30.010(b)(12) in the state, through tutoring under  
9       AS 14.30.010(b)(1)(B) in the state, through a private school or program in the state, or  
10      through the University of Alaska.

11              (b) The department may adopt regulations necessary to administer the  
12      education scholarship program.

13              **Sec. 44.27.110. Scholarship eligibility.** A parent or guardian may receive a  
14      scholarship on behalf of a child who is being educated in the state as described in  
15      AS 44.27.100 if

1 (1) the parent or guardian

2 (A) applies to the department;

3 (B) voluntarily enters into an agreement with the department to  
4 participate in the scholarship program; and

5 (C) certifies in writing to the department that the parent or  
6 guardian will use the scholarship only as described in AS 44.27.130; and

7 (2) the child

8 (A) is a child with a disability;

9 (B) is attending a low performing school; in this subparagraph,  
10 "low performing school" means a public school that the department has  
11 determined has a school performance index value, as defined by department  
12 regulations, that is below 70;

13 (C) has a parent who is a member of the armed forces of the  
14 United States on active duty or who was killed in the line of duty while on  
15 active duty as a member of the armed forces of the United States;

16 (D) is or was a ward; in this subparagraph, "ward" has the  
17 meaning given in AS 13.26.005;

18 (E) is the subject of a pending guardianship proceeding;

19 (F) is a sibling of a child who is a current or former recipient of  
20 a scholarship awarded under AS 44.27.120; or

21 (G) has a parent who is a blind person, deaf, or hard of hearing;  
22 in this subparagraph, "blind person" has the meaning given in AS 23.15.210.

23 **Sec. 44.27.120. Scholarship amount.** For a child eligible under AS 44.27.110,  
24 the department shall award a parent or guardian of the child a scholarship in the  
25 amount of \$5,930 for the child's education for the school year.

26 **Sec. 44.27.130. Eligible expenses.** A parent or guardian shall maintain  
27 documentation of an expenditure of money from a scholarship awarded under  
28 AS 44.27.120 in the format and for the period required by the department in  
29 regulation. The parent or guardian may use the scholarship money only for

30 (1) tuition for a private school or program in the state;

31 (2) tuition for the University of Alaska;

1 (3) tutoring of a child who is being educated through tutoring under  
2 AS 14.30.010(b)(1)(B) in the state;

3 (4) extracurricular student activities in the state;

4 (5) textbooks;

5 (6) curriculum material; and

6 (7) student transportation.

7 **Sec. 44.27.140. Unexpended money.** A parent or guardian who is awarded a  
8 scholarship on behalf of a child under AS 44.27.120 shall remit any unexpended and  
9 unobligated scholarship award money to the department on or before June 30  
10 following the date the scholarship was awarded.

11 **Sec. 44.27.150. Audit.** The department may audit the information a parent or  
12 guardian provides under AS 44.27.110 or documentation maintained by a parent or  
13 guardian under AS 44.27.130 to determine the validity of a scholarship award or  
14 expense. The department shall adopt regulations establishing procedures for recouping  
15 an improper scholarship award or expense identified in an audit.

16 **Sec. 44.27.160. Definitions.** In AS 44.27.100 - 44.27.160,

17 (1) "child" means a person under 23 years of age;

18 (2) "department" means the Department of Education and Early  
19 Development;

20 (3) "private school or program" means a primary, secondary, or  
21 postsecondary educational institution or program that does not receive direct state or  
22 federal funding.